

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:19-CV-00399-BO

DONEUS PAGE,

Plaintiff

v.

KILOLO KIJAKAZI,  
Acting Commissioner of  
Social Security,

Defendant.


ORDER TO  
MOTION  
FOR 42 U.S.C. § 406(b) FEES

Plaintiff's counsel filed a motion for approval of attorney's fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$17,000.00. Attorney's fees under section 206(b) are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b). Plaintiff's counsel will reimburse Plaintiff the amount in fees he previously received under the Equal Access Justice Act, 28 U.S.C. § 2412 in the amount of \$5,250.00.

Defendant filed a response, stating that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$17,000.00.

This 1 day of Nov., 2022.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE